

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**January 16, 2020**

Chairperson T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, J. Montgomery-Keast, J. Doyle, B. Larson, S. Gawron, B. Mazade, E. Hood

MEMBERS ABSENT: F. Peterson; M. Hovey-Wright, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: D. Dietz, Family Financial Credit Union; J. Wolford, Muskegon County 911; E. Hall, 2311 Moon; J. Canale, 12150 Cross Creek Dr, Spring Lake; C. Benedict, 370 Mid Oak Dr, N. Muskegon.

**APPROVAL OF MINUTES**

A motion to approve the Minutes of the regular Planning Commission meeting of December 12, 2019 was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

**PUBLIC HEARINGS**

**Hearing, Case 2020-01:** Request for a minor departure from the Form Based Code ordinance to allow for a larger projecting sign (36" X 180") than allowed and also an additional ATM sign (24" X 20") at 285 W Western, by Family Financial Credit Union. M. Franzak presented the staff report. The property is zoned Form Based Code, Mainstreet. Family Financial Credit Union will be moving into a suite facing 1st St in the Highpoint Flats building at 285 W Western Ave. They are proposing a projecting sign that measures 36" wide X 180" high. Projecting signs are limited to 36" wide and 48" high by the Form Based Code. They are also requesting a second smaller sign (24"w X 20"h) that depicts the ATM location. The Form Based Code limits projections signs to one per business. Notice letters were sent to properties within 300 feet of this property. Staff had not received any comments from the public.

A rendering of the proposed signs was provided; however, staff stated that it did not appear the rendering accurately depicted a 15-foot tall sign, as the door pictured was seven feet tall. The Planning Commission had previously approved a departure for a large projecting sign at the Berkshire building at 275 W Clay Ave. However, that sign depicted the name of the building, rather than an individual business, which was common among the larger signs in downtown Muskegon (i.e. Amazon, Frauenthal). Staff did not recommend very large projecting signs for individual businesses. Staff also recommended that the ATM sign be included at the bottom of a projecting sign or placed as a wall sign, rather than being a separate projecting sign. J. Doyle suggested that if the larger sign was allowed, it could open it up to other businesses asking for the same consideration. J. Montgomery-Keast asked what other means could be used to attract customers attention. M. Franzak stated that sidewalk and window signs were allowed, and flower pots could be placed at the entrance. He stated that he was not opposed to the sign hanging off the building to make it visible from Western Avenue, but he thought the requested size was too large.

T. Michalski asked if the sign would be illuminated, and why it needed to be so large. D. Dietz stated that it would be a lighted sign. She explained that the credit union was new to downtown and their entry would face Second Street so they wanted the larger sign to make sure it was visible from Western Avenue. J. Montgomery-Keast asked if they had considered other methods of making the entry stand out, like what had been discussed earlier. D. Dietz stated that they could use those methods also.

A motion to close the public hearing was made by B. Mazade, supported by B. Larson and unanimously approved.

B. Mazade disclosed that he was a member of the credit union but stated that he had no financial gain or conflict of interest.

A motion that the request for a minor departure from the Form Based Code ordinance to allow a larger projecting sign (36" X 180") than permitted and also an additional ATM sign (24" X 20") at 285 W Western be approved, was made by B. Larson, supported by E. Hood and approved, with B. Larson, S. Gawron, B. Mazade, and E. Hood voting aye, and T. Michalski, J. Montgomery-Keast, and J. Doyle voting nay.

**Hearing, Case 2020-02: Request to amend Section 2321 of the Zoning Ordinance to allow Wireless Communication Support Facilities as a special use permitted in the overlay district at 770 Terrace St, by Pyramid Network Services.** M. Franzak presented the staff report. The zoning ordinance defines a "Wireless Communication Support Facilities (WCSF)" as: A monopole, guyed, or lattice type tower designed for the attachment of, or as support for wireless communication antennas or other antennas. WCSF's are only allowed as a Special Use Permitted in six locations throughout the City. The applicant is seeking approval to allow another location at the Central Fire Station at 770 Terrace St. Location maps and a description of the project were provided. This project is supported by the Muskegon Public Safety Division as a necessary component for First Responder incidents. Staff recommends approval of the zoning ordinance amendment to allow WCSF's as a Special Use Permitted at 770 Terrace St.

M. Franzak pointed out that this case and the next one involved the same project. The request was for a monopole for emergency communications, not cell phones. J. Doyle asked why there would be no cell phone equipment on the pole. J. Wolford was the Executive Director of Muskegon Central Dispatch. He stated that most municipalities didn't want additional equipment on the poles in order to leave room when upgrades were needed.

A motion to close the public hearing was made by B. Mazade, supported by B. Larson and unanimously approved.

B. Mazade stated that he didn't care for the proposed location but would support the request, as it was for public safety. A motion that the request to amend Section 2321 of the Zoning Ordinance to allow Wireless Communication Support Facilities as a Special Use Permitted in the overlay district at 770 Terrace St be recommended to the City Commission for approval, was made by J. Montgomery-Keast, supported by S. Gawron and unanimously approved, with T. Michalski, J. Montgomery-Keast, J. Doyle, B. Larson, S. Gawron, B. Mazade, and E. Hood voting aye.

**Hearing, Case 2020-03: Request for a special use permit to allow a Wireless Communication Support Facility (WCSF) (monopole) at 770 Terrace Street, contingent upon the successful amendment to the ordinance in Case 2020-02, by Pyramid Network Services.** M. Franzak presented the staff report. This request is contingent upon the successful amendment to the zoning ordinance that would allow WCSFs as a Special Use Permitted at 770 Terrace St. The request is for a 195-foot tall monopole without guy wires. Location maps and a project description were provided. The proposed monopole appears to meet all of the requirements for obtaining a Special

Land Use Permit, as long as it does not have a shiny or metallic finish; staff recommends approval of the monopole as presented.

There were no comments from the public. A motion to close the public hearing was made by B. Larson, supported by J. Doyle and unanimously approved.

M. Franzak stated that part of the ordinance prohibited shiny or metallic finishes on the monopoles. The engineer working on the project stated that this pole would be galvanized metal and would lose its shine over time. They had experimented with painting these kinds of towers in the past, but maintenance became an issue. B. Mazade suggested something other than a steel tower, possibly a wrap of some kind.

A motion that the request for a Special Use Permit to allow for a Wireless Communication Support Facility (monopole) at 770 Terrace St be approved, contingent upon the successful amendment to the ordinance in Case 2020-02 and with the condition that the monopole does not have a shiny or metallic finish, was made by J. Montgomery-Keast, supported by B. Larson and unanimously approved, with T. Michalski, J. Montgomery-Keast, J. Doyle, B. Larson, S. Gawron, B. Mazade, and E. Hood voting aye.

**Hearing, Case 2020-04:** Staff-initiated request to rezone the property at 372 Morris Ave from Form Based Code, Downtown to Form Based Code, Mainstreet. M. Franzak presented the staff report. The property measures nearly eight acres and is zoned Form Based Code, Downtown. This zoning designation only allows for mixed-use buildings. The property owner has plans to develop this lot, but they would like to offer a different variety of buildings within the development. Preliminary plans include a hotel, parking garage with retail frontage, entertainment center, dining, event space and townhomes. The Mainstreet context area would allow all of these building types. A preliminary site plan was provided. After the successful rezoning, the applicant plans to apply to the Planning Commission for a “Specific Development Plan” as allowed in Section 2002.01D of the Form Based Code. M. Franzak explained that the Specific Development Plan would be similar to a PUD, but under Form Based Code zoning. Staff recommends approval of the rezoning.

J. Montgomery-Keast asked about the contamination history on the property. M. Franzak stated that the gas company was formerly located there, and the site had been contaminated. However, the site had been capped. The social security office was located on the adjacent site, which had the same contamination issues. J. Canale was a partner in the project and described their plans for the development. He added that 2<sup>nd</sup> St. would be extended to connect to 1<sup>st</sup> St. J. Doyle asked about the other street that came off 1<sup>st</sup> St. and entered the site. J. Canale stated that that drive was for access to the Social Security Administration. T. Michalski asked if there would be any effect on the Indian Cemetery. J. Canale stated that there would not be. J. Montgomery-Keast asked how they planned to deal with the contamination. J. Canale stated that they had had a due care plan completed and a restrictive covenant. There would be no subterranean grade, such as basements. J. Doyle asked how large the parking garage would be. J. Canale stated that at this time, it was planned to have 3 to 4 floors. T. Michalski stated that this was a prime downtown spot so it was important to have it done right.

A motion to close the public hearing was made by J. Doyle, supported by J. Montgomery-Keast and unanimously approved.

A motion that the request to rezone the property at 372 Morris Avenue from Form Based Code, Downtown to Form Based Code, Mainstreet be recommended to City Commission for approval, was made by J. Doyle, supported by S. Gawron and unanimously approved, with T. Michalski, J. Montgomery-Keast, J. Doyle, B. Larson, S. Gawron, B. Mazade, and E. Hood voting aye.

### **NEW BUSINESS**

None

### **OLD BUSINESS**

190 Wood St – M. Franzak stated that the rezoning had been approved by City Commission.

Hartshorn Marina area – J. Doyle asked about the status of the development that was planned for the vacant lot near Hartshorn Marina. M. Franzak stated that it was still in process; the first house plans had recently been approved.

### **OTHER**

There was no chapter 5 outline from Suburban Nation this month.

There being no further business, the meeting was adjourned at 4:45 p.m.

DR